

## PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 99-499)

**In re Application of:**

Chou et al.

**Serial No.: 08/903,944**

**Filed: July 31, 1997**

**For: Production of Transgenic Poinsettia**

**Art Unit: 1638**

**Examiner: D. Fox**

**Confirmation No.: 3007**

## NOTICE OF APPEAL

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Appeals from the decision of the examiner's rejection of all claims rejected in the Final Office Action dated September 26, 2003.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was granted on \_ for \_\_\_\_ month(s).
2. ☒ A petition to extend time to respond to the final rejection, with the appropriate fee, accompanies this notice.
  - a. ☐ the fee is calculated from the date of mailing of an advisory action, because an amendment after the final rejection was filed within two months of the final rejection, which set a three month shortened statutory period for response, and the advisory action was mailed more than three months after the final rejection.
  - b. ☒ the fee is calculated from the end of the period set for response.

**CERTIFICATE OF MAILING (37 C.F.R. 1.8a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail envelope EV333559793US addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 26, 2004.

Date: January 26, 2004

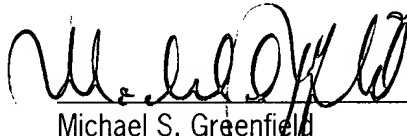
Michael S. Greenfield

01/29/2004 AWUNDAF1 00000041 08903944  
01 FC:1401 330.00 0P

3. ☒ Appeal Fee \$330.00 (Large Entity)  
☒ Enclosed  
  
☐ Not required (Fee paid in prior appeal)  
  
☐ Charge to Deposit Account No. 13-2490  
(One additional copy of this Notice enclosed herewith.)
4. The Commissioner is hereby authorized to charge any additional fee which may be required, or credit any overpayment to Account No. 13-2490. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: January 26, 2004

  
\_\_\_\_\_  
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